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DIGEST OF OTHER RECENT VIRGINIA DECISIONS.**Supreme Court of Appeals.**

Note.—In this department we give the syllabus of every case decided by the Virginia Supreme Court of Appeals, except of such cases as are reported in full.

TOWN OF HAMPTON v. JONES et al.

June 14, 1906.

[54 S. E. 16.]

Municipal Corporations—Officers—Right to Compensation.—A county treasurer who under act May 23, 1897 (Acts Ex. Sess. 1887, p. 486, c. 382), was ex officio treasurer of a town, was not entitled to compensation as town treasurer beyond January 1, 1904, to which time his term of office was extended by Const. 1902, schedule, § 11; he then having ceased to be a de jure officer, and not having been a de facto officer, because the duties of the office were performed by another, who had been appointed and qualified as treasurer of the town, and provision having been made by Acts 1902-04, p. 487, c. 276, for a separate treasurer for the town.

SOUTHERN RY. CO. v. HANSBROUGH'S ADM'X.

June 14, 1906.

[54 S. E. 17.]

1. Railroads—Injury to Person on Track—Pleading—Declarations—Sufficiency.—A declaration, in an action against a railway company for injuries to a traveler in a collision with an engine operated on a street, which alleges that the engine was running at a high rate of speed, carelessly, negligently, and unskillfully, without pointing out in what manner it was so run, and without alleging a violation of any ordinance, or averring any obstruction to the view of persons crossing the track, which made it necessary for the company not to run its engines at a high rate of speed, states no cause of action, because it fails to point out in what manner the company was negligent and to show what duty it owed to the traveler which it neglected to perform.

2. Same.—A declaration, in an action against a railway company for injuries to a traveler in a collision with an engine operated on a street, which alleges that it was the duty of the company to run its engine at 5 miles an hour, and that it ran the same at 40 miles an hour, without alleging the violation of any ordinance or statute, and which alleges that the bell was not rung without alleging any ordinance or statute requiring the ringing of the bell, and without charging the company with any failure to exercise caution to prevent